



REGISTRAR OF REGULATIONS

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COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 001A-036, UPPER MACHODOC CREEK

EFFECTIVE 26 FEBRUARY 2008

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20 and §2.2-4002, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Area Condemnation Number 001A-036, Upper Machodoc Creek," effective 7 May 2007, is cancelled effective 26 February 2008.
2. Condemned Shellfish Number 001A-036, shown as Sections A through H, is established, effective 26 February 2008. As to Sections A, B, C, D, E and F; it shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. As to Sections G and H, it shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose. The boundaries of these areas are shown on the map titled "Upper Machodoc Creek, Condemned Shellfish Area Number 001A-036, 26 February 2008" which is part of this notice.
3. Seasonally Condemned Shellfish Number 001A-036, shown as Section M1, is hereby established, effective 1 April 2008, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm, or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of this area are shown on the map titled "Upper Machodoc Creek, Condemned Shellfish Area Number 001A-036, 26 February 2008" which is a part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 001A-036

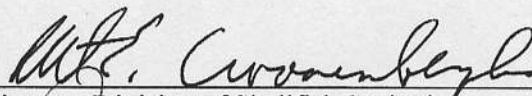
- A. The condemned area shall include that portion of Upper Machodoc and Gambo Creeks and the Potomac River inshore of a line drawn from latitude/longitude map coordinate (38°19'56.9", -77°00'54.4"), southwesterly along the Virginia-Maryland boundary to map coordinate (38°19'01.5", -77°01'35.6"), to map coordinate (38°19'03.9", -77°01'53.4"), and on to map coordinate (38°19'18.6", -77°01'29.7").



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www.vdh.virginia.gov/shellfish

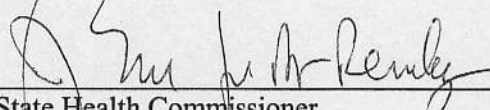
- B. The condemned area shall include that portion of Upper Machodoc Creek inshore of a line drawn from latitude/longitude map coordinate (38°19'07.8",-77°01'54.6"), to map coordinate (38°19'03.9",-77°01'53.4"), and on to map coordinate (38°19'07.6",-77°02'20.7").
- C. The condemned area shall include that portion of Williams Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (38°19'29.0",-77°03'18.9") to map coordinate (38°19'30.5",-77°03'09.6").
- D. The condemned area shall include all of Deep Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (38°19'16.3",-77°03'35.7") to map coordinate (38°19'13.4",-77°03'47.4").
- E. The condemned area shall include that portion of Upper Machodoc Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (38°18'48.7",-77°03'47.5") to map coordinate (38°18'45.2",-77°03'31.9").
- F. The condemned area shall include those portions of Upper Machodoc Creek and Williams Creek lying upstream and inland of a line drawn from latitude/longitude map coordinate (38°19'20.4",-77°02'49.4"), to map coordinate (38°19'13.2",-77°02'49.2"), and on to map coordinate (38°19'14.9",-77°03'24.0"); but excluding the area defined as Sections C and G.
- G. The condemned area shall include that portion of Williams Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (38°19'17.0",-77°03'19.5") to map coordinate (38°19'19.9",-77°02'56.1"); but excluding the area defined as Section C.
- H. The condemned area shall include that portion of the Potomac River inshore of a line drawn from latitude/longitude map coordinate (38°19'18.6",-77°01'29.7") to map coordinate (38°19'03.9",-77°01'53.4"), to map coordinate (38°19'07.8",-77°01'54.6").
- M1. The seasonally condemned area shall include that portion of Upper Machodoc Creek lying inland of a line drawn from latitude/longitude map coordinate (38°19'12.1",-77°02'24.9") to map coordinate (38°19'13.2",-77°02'49.2"), and on to map coordinate (38°19'20.4",-77°02'49.4").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



State Health Commissioner

2/12/08

Date

Virginia Department of Health
Upper Machodoc Creek
Condemned Shellfish Area
Number 001A-036
26 February 2008

